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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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Tohru Kanegae

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8418

466 7590 11/16/2009
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EXAMINER

CHOI, MICHAEL P

ART UNIT

PAPER NUMBER

2621

NOTIFICATION DATE

DELIVERY MODE

11/16/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/501,543 | Applicant(s) KANEGAE ET AL. | |
| | Examiner MICHAEL CHOI | Art Unit 2621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15, 16, 19-22, 25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15, 16, 19-22, 25 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/13/09 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 15, 16, 19-22, 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Murase et al. (US 5,907,658 B1).

Regarding Claim 15, Murase et al. teaches an information recording medium, which can be recorded by an information recording apparatus or which can be reproduced by an information reproducing apparatus, on which one or a plurality of titles, each of which is a logically-grouped information unit, are recorded (Fig. 2A – recording medium having volume area, Fig. 4A with logical blocks of various title sets, Fig. 4B; recording by device Figs. 22 and 24), said information recording medium comprising:

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- an object data file for storing object data which constitutes a series of content information (Fig. 5 – each title set containing various VOB);
- a play list information file for storing one or more play list information including a plurality of item information which defines a reproduction sequence of the object data by a unit of item (in at least Figs. 12A, 15A, 16 – program chains for each title set having VOBs, each having management packets), each of the plurality of item information includes start time and the end time of the object data (Col. 14, line 64 – Col. 5, line 8; Col. 15, lines 25-35 – management information pack having start and end times);
- an object information file for collectively storing object information which includes information for indicating address of a packet of the object data corresponding to each item (Figs. 12A-B, 15A-B – start and stop addresses as well as pre/post-processing command start/end addresses); and
- a disc information file for storing a plurality of information groups including, as reproduction control information for controlling the reproduction of said object data file (Fig. 12A - video title set management information table),
 - (i) play list specification information for specifying one play list information stored in said play list information file (in at least Figs. 12A and 12B - specifying specific program chain from PGC management information table),
 - (ii) Pre command information which indicates a command to be executed before the reproduction based on the one play list information (in at least Col. 20, lines 18-39+; Figs. 12B, 17 – pre-processing command), and
 - (iii) Post command information which indicates a command to be executed after the reproduction based on the one play list information (in at least Col. 20, lines 18-39+; Figs. 12B, 17 – post-processing command),

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- wherein each of the object data file (Fig. 5 – each title set containing various VOB), the play list information file (in at least Figs. 12A, 15A, 16 – program chains for each title set having VOBs, each having management packets), the object information file (Figs. 12A-B, 15A-B – start and stop addresses as well as pre/post-processing command start/end addresses) and the disc information file (Fig. 12A - video title set management information table) is collectively recorded into different area, respectively.

Regarding Claim 16, Murase et al. teaches the information recording medium according to claim 15, said object information further comprising correspondence definition information which defines the correspondence relationship between a plurality of packets to be multiplexed (Figs. 12A-B, 15A-B – start and stop addresses as well as pre/post-processing command start/end addresses) and a plurality of portion streams which are constructed from the plurality of packets which construct the object data as another reproduction control information for controlling the reproduction of said object data file (Fig. 24, 86; Fig. 25, 120 – signal separating unit separating video, audio, and management pack information, etc. to respective buffer memories; Figs. 26 and 26; Col. 29, lines 7-34+).

Regarding Claim 19, Murase et al. teaches an information recording apparatus for recording one or a plurality of titles, each of which is a logically-grouped information unit, onto an information recording medium (Fig. 2A – recording medium having volume area, Fig. 4A with logical blocks of various title sets, Fig. 4B; recording by device Figs. 22 and 24), said information recording apparatus comprising:

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- a first recording device for recording an object data file for storing object data which constitutes a series of content information (Fig. 25 – storage in buffer memory of VOB);
- a second recording device for recording a play list information file for storing one or more play list information including a plurality of item information which defines a reproduction sequence of the object data by a unit of item (in at least Figs. 12A, 15A, 16 – program chains for each title set having VOBs, each having management packets), each of the plurality of item information includes start time and the end time of the object data (Col. 14, line 64 – Col. 5, line 8; Col. 15, lines 25-35 – management information pack having start and end times);
- a third recording device for recording a object information file for collectively storing object information which includes information for indicating address of a packet of the object data corresponding to each item (Figs. 12A-B, 15A-B – start and stop addresses as well as pre/post-processing command start/end addresses); and
- a fourth recording device for recording a disc information file for storing a plurality of information groups including, as reproduction control information for controlling the reproduction of said object data file (Fig. 26 – storage of management information in management information pack buffer, 95),
 - (i) play list specification information for specifying one play list information stored in said play list information file (in at least Figs. 12A and 12B - specifying specific program chain from PGC management information table),
 - (ii) Pre command information which indicates a command to be executed before the reproduction based on the one play list information (in at least Col. 20, lines 18-39+; Figs. 12B, 17 – pre-processing command), and

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- (iii) Post command information which indicates a command to be executed after the reproduction based on the one play list information (in at least Col. 20, lines 18-39+; Figs. 12B, 17 – post-processing command), wherein
- each of the object data file (Fig. 5 – each title set containing various VOB), the play list information file (in at least Figs. 12A, 15A, 16 – program chains for each title set having VOBs, each having management packets), the object information file (Figs. 12A-B, 15A-B – start and stop addresses as well as pre/post-processing command start/end addresses) and the disc information file (Fig. 12A - video title set management information table) is collectively recorded into different area, respectively.

Regarding Claim 20, Murase et al. teaches an information recording method of recording one or a plurality of titles, each of which is a logically-grouped information unit, onto an information recording medium (Fig. 2A – recording medium having volume area, Fig. 4A with logical blocks of various title sets, Fig. 4B; recording by device Figs. 22 and 24) and is rejected under the same grounds as claims 15, 16 and 19.

Regarding Claim 21, Murase et al. teaches an information reproducing apparatus for reproducing at least one portion of recorded titles from an information recording medium on which one or the plurality of titles, each of which is a logically-grouped information unit, are recorded (Fig. 2A – recording medium having volume area, Fig. 4A with logical blocks of various title sets, Fig. 4B; recording by device Figs. 22 and 24; Col. 4, lines 40-60+, and playback) and is rejected under the same grounds as claims 15, 16 and 19.

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Regarding Claim 22, Murase et al. teaches an information reproducing method of reproducing at least one portion of recorded titles from an information recording medium on which one or the plurality of titles, each of which is a logically-grouped information unit, are recorded (Fig. 2A – recording medium having volume area, Fig. 4A with logical blocks of various title sets, Fig. 4B; recording by device Figs. 22 and 24; Col. 4, lines 40-60+, and playback) and is rejected under the same grounds as claims 15, 16 and 19.

Regarding Claim 25, Murase et al. teaches a computer-readable storage medium storing thereon a program for controlling record and for tangibly embodying a program of instructions executable by a computer to make the computer function (Fig. 1; Col. 32, lines 60-65 – implementation of software) as at least one portion of a first recording device, a second recording device, a third recording device and a fourth recording device, and is rejected under the same grounds as claims 15, 16 and 19.

Regarding Claim 26, Murase et al. teaches a computer program product for controlling reproduction and for tangibly embodying a program of instructions executable by a computer to make the computer function (Col. 32, lines 60-65 – implementation of software on a device) as at least one portion of a reading device and a reproducing device, and is rejected under the same grounds as claims 15, 16 and 19.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL CHOI whose telephone number is (571) 272-9594. The examiner can normally be reached on M-F (9am - 5:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Choi
Examiner
Art Unit 2621

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621